

In The Court Of Appeal Of The State Of California
Sixth Appellate District
San Jose, California

MONDAY, NOVEMBER 9, 2009

H031992 PEOPLE v. TOWNLEY HERNANDEZ

The judgment is reversed. (published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed November 9, 2009

H033438 LOUMENA v. LOUMENA et al.

The order is affirmed. (not published)
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed November 9, 2009

TUESDAY, NOVEMBER 10, 2009

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and Beth Miller, Deputy Clerk.

H033757 PEOPLE v. J.N.

Cause called and argued by Peter F. Goldscheider appearing for Appellant and by Michael E. Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H032296 PEOPLE v. SANCHEZ, et al.

Cause called and argued by Richard Rubin appearing for Appellant Sanchez, Solomon Wollack appearing for Appellant Ayala and by Ann P. Wathen, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H031733 PEOPLE v. ALCARAZ

Cause called and argued by Danalynn Pritz appearing for Appellant and by Christopher J. Wei, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H033329 ROBLES, et al. v. CHALILPOYIL

Cause called and argued by Neil L. Shapiro appearing for Appellant and by Joseph Carcione appearing for Respondents. Cause ordered submitted. The court is in recess.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and Jane Valdez Flor, Deputy Clerk.

In The Court Of Appeal Of The State Of California
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Tuesday, November 10, 2009 (continued)

H032605 MEYERS, et al. v. FITZGERALD, et al.

Cause called and argued by Douglas B. Allen appearing for Appellants and by William H. Sortor appearing for Respondents. Cause ordered submitted.

H033610 UDC-UNIVERSAL DEVELOPMENT v. CH2M HILL

H033862 UDC-UNIVERSAL DEVELOPMENT v. CH2M HILL

Cause called and argued by Bennett Lee appearing for Appellant and by Hugh Lennon appearing for Respondent. Cause ordered submitted. Court is adjourned.

The following case is submitted this date:

H033733 PEOPLE v. GALIA

H032440 PEOPLE v. SIFUENTEZ

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Mihara, J.)
Filed November 10, 2009

THURSDAY, NOVEMBER 12, 2009

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and S. Nasson, Deputy Clerk.

H033266 STANDARD MICROSYSTEMS CORPORATION v. WINBOND ELECTRONICS CORPORATION, et al.

Cause called and argued by Paul Fogel appearing for Appellants and by Chris Graham appearing for Respondent. Cause ordered submitted.

H033195 AMERICAN INTERNATIONAL UNDERWRITERS INSURANCE COMPANY v. AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY

Cause called and argued by James Tenero appearing for Appellant and by James Wagoner appearing for Respondent. Cause ordered submitted.

Premo, J. and Elia, J. leave the bench.
Mihara, J. and McAdams, J. take the bench.

In The Court Of Appeal Of The State Of California
Sixth Appellate District
San Jose, California

Thursday, November 12, 2009 (continued)

H030750 PEOPLE v. MARTINEZ

Cause called and argued by Arthur Dudley appearing for Appellant and by Brent Wilner, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Court is in recess.

H032760 BAREKET v. MARCUS

As modified the order is affirmed. The parties shall bear their own costs on appeal. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed November 12, 2009

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California.
Present: McAdams, J.; Bamattre-Manoukian, Acting P.J.; Duffy, J.; and LaNae Brooks, Deputy Clerk.

H032679 PEOPLE v. LOZA

Cause called and argued by Jill A. Fordyce appearing for Appellant and by Deputy Attorney General Christina Vom Saal appearing for Respondent. Cause ordered submitted.

H032801 CRITZER, et al. v. CITY OF CUPPERTINO

Cause called and argued by Alexander Koret Abraham appearing for Appellants and by Frank A. Jelinch appearing for Respondent and by Mark W. Shem appearing for Real Party in Interest. Cause ordered submitted. Court is adjourned.

H032764 PEOPLE v. CAMACHO

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed November 12, 2009

H032734 PEOPLE v. PAKES

Filed modification of opinion with no change in the judgment and order granting request for partial publication.
(Mihara, Acting P.J., McAdams, J., Duffy, J.)
Filed November 12, 2009

In The Court Of Appeal Of The State Of California
Sixth Appellate District
San Jose, California

Thursday, November 12, 2009 (continued)

H033918 PEOPLE v. MARTINEZ

The order is affirmed. (not published)
(Mihara, J.; We concur: Rushing, P.J., Elia, J.)
Filed November 12, 2009

H034402 PEOPLE v. VARELA

Because defendant's appeal challenged only his sentence, and the trial court has vacated that sentence and resentenced defendant, his appeal challenging the original sentence is now moot. We therefore dismiss the appeal. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)
Filed November 12, 2009

FRIDAY, NOVEMBER 13, 2009

H034082 PEOPLE v. JONES

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed November 13, 2009

H034030 & H034251 In re J.S. et al.; D.F.C.S. v. S.S.

The appeal is dismissed as abandoned. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed November 13, 2009

H033426 PEOPLE v. DUGGS

The probation condition concerning firearms is modified to read as follows: "Not knowingly possess, receive or transport any firearm, ammunition or any deadly or dangerous weapon. Immediately surrender any firearms or ammunition you own or possess to law enforcement." As modified, the judgment is affirmed. (not published)
(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)
Filed November 13, 2009

The following case is submitted this date:

H030760 PEOPLE v. ZELEDON

In The Court Of Appeal Of The State Of California
Sixth Appellate District
San Jose, California

Friday, November 13, 2009 (continued)

H032918 PEOPLE v. GONZALES

By the Court:

On the court's own motion, the submission order in the above-entitled matter dated September 22, 2009, is hereby vacated. The court by separate letter issued November 2, 2009, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: November 13, 2009 Mihara, Acting P.J.